

# Exhibit 16



Angela He <angela@warrenlex.com>

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## CyWee Group Ltd. v. Huawei Device Co. Ltd. et al., No. 17-495 (E.D. Texas)

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**Michael Shore** <mshore@shorechan.com>

Fri, Jun 15, 2018 at 10:11 PM

To: "Matt@warrenlex.com" <matt@warrenlex.com>, TeamCyweeHuawei <TeamCyweeHuawei@shorechan.com>

Cc: "huaweicywee@kilpatricktownsend.com" <huaweicywee@kilpatricktownsend.com>, Mark Mann <mark@themannfirm.com>, Blake Thompson <blake@themannfirm.com>, "17-495@cases.warrenlex.com" <17-495@cases.warrenlex.com>

Matt,

CyWee did not file suit against Huawei based on an algorithm or software claim. The same algorithm or software can be part of an infringing device or devices that do not infringe. Infringement requires more than just an algorithm or software.

The patent covers an entire mobile phone as a 3D pointing device, so unless Huawei is buying phones from Google, Huawei is not Google's "customer" as to the Accused Devices. The customer suit exception does not apply to Huawei as a Google software buyer any more than it applies to Huawei as the buyer of the display, display software, battery, LEDs, sensors, phone case or the CPU's operating the phones.

CyWee opposes. Its frivolous.

MWS

Sent from my Windows Phone

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**From:** [Matt Warren](#)

**Sent:** 6/15/2018 23:47

**To:** [TeamCyweeHuawei](#)

**Cc:** [huaweicywee@kilpatricktownsend.com](#); [Mark Mann](#); [Blake Thompson](#); [17-495@cases.warrenlex.com](#)

**Subject:** CyWee Group Ltd. v. Huawei Device Co. Ltd. et al., No. 17-495 (E.D. Texas)

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